

SCOTT N. SCHOOLS, SC SBN 9990
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 EDWARD OLSEN, CSBN 214150
 Assistant United States Attorney

E-filed 9/28/07

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-6915
 FAX: (415) 436-6927

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

SVETLANA NIKITENKO,

Plaintiff,

v.

Department of Homeland Security, MICHAEL
 CHERTOFF, Secretary; United States Citizenship
 and Immigration Services, EMILIO T.
 GONZALEZ, Director; United States Citizenship
 and Immigration Services, ROSEMARY
 MELVILLE, District Director; U.S. Attorney
 General, ALBERTO GONZALES; Federal
 Bureau of Investigation, ROBERT S. MUELLER,
 III, Director,

Defendants.

No. C 07-3297 HRL

**STIPULATION TO DISMISS AND
 [] ORDER**

Plaintiff, by and through her attorney of record, and Defendants, by and through their attorneys
 of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled
 action without prejudice in light of the fact that the United States Citizenship and Immigration
 Services is now prepared to adjudicate plaintiff's application for naturalization and agrees to
 adjudicate such application within 30 days of the dismissal of this action.

Each of the parties shall bear their own costs and fees.

1 Dated: September 18, 2007

Respectfully submitted,

2 SCOTT N. SCHOOLS
3 United States Attorney

4 /s/
5 EDWARD OLSEN
6 Assistant United States Attorney
7 Attorneys for Defendants

8 Date: September 18, 2007

9 /s/
10 MONICA KANE
11 Attorney for Plaintiff

12 **ORDER**

Pursuant to stipulation, IT IS SO ORDERED.

13 Date: 9/28/07

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15 HOWARD R. LLOYD
16 United States Magistrate Judge
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